

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 134

May 22, 1996, 1:49 p.m.
Page S-5477 Temp. Record

BUDGET RESOLUTION/Davis-Bacon Act, no Repeal of

SUBJECT: Senate Concurrent Budget Resolution for fiscal years 1997-2002 . . . S. Con. Res. 57. Kennedy second-degree perfecting amendment No. 4031 to the Kennedy modified amendment No. 4000, as amended.

ACTION: MOTION TO TABLE FAILED, 40-60

SYNOPSIS: As reported, S. Con. Res. 57, the Concurrent Budget Resolution for fiscal years 1997-2002, will balance the Federal budget in fiscal year (FY) 2002 by slowing the overall rate of growth in spending over the next 6 years to below the rate of growth in revenue collections. The rate of growth in entitlements such as Medicare, Medicaid, the Aid to Families with Dependent Children program, and the Earned Income Credit will be slowed. No changes will be made to the Social Security program, the spending for which will grow from \$348 billion in FY 1996 to \$467 billion in FY 2002. Defense spending will be essentially frozen at its present level.

The Kennedy modified amendment, as amended (see vote No. 133), would add the following statement, "In recognition of the fact that American workers are required to be drug-free in the workplace, it is the sense of the Congress that this concurrent resolution on the budget assumes that the States may require welfare recipients to be drug-free as a condition for receiving such benefits and that random drug testing may be used to enforce such requirements."

The Kennedy second-degree perfecting amendment to the Kennedy amendment would add the following statement, "Notwithstanding any provision of the committee report on this resolution, it is the sense of the Senate that the provisions in this resolution do not assume the repeal of the Davis-Bacon Act" (This text is identical to the text of the Kennedy modified amendment prior to its being amended by the Ashcroft amendment).

The Kennedy second-degree amendment was offered after all debate time had expired. However, by unanimous consent, 1 minute of debate was allowed on the amendment. Following debate, Senator Nickles moved to table the Kennedy second-degree amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

NOTE: Following the vote, the amendment was further amended (see vote No. 135).

(See other side)

YEAS (40)			NAYS (60)			NOT VOTING (0)	
Republicans (39 or 74%)	Democrats (1 or 2%)		Republicans (14 or 26%)	Democrats (46 or 98%)		Republicans (0)	Democrats (0)
Ashcroft	Hutchison	Nunn	Abraham	Akaka	Inouye		
Bennett	Inhofe		Campbell	Baucus	Johnston		
Bond	Kassebaum		Coats	Biden	Kennedy		
Brown	Kempthorne		D'Amato	Bingaman	Kerrey		
Burns	Kyl		DeWine	Boxer	Kerry		
Chafee	Lott		Domenici	Bradley	Kohl		
Cochran	Lugar		Gorton	Breaux	Lautenberg		
Cohen	Mack		Hatfield	Bryan	Leahy		
Coverdell	McCain		Jeffords	Bumpers	Levin		
Craig	McConnell		Murkowski	Byrd	Lieberman		
Dole	Nickles		Santorum	Conrad	Mikulski		
Faircloth	Pressler		Snowe	Daschle	Moseley-Braun		
Frist	Roth		Specter	Dodd	Moynihan		
Gramm	Shelby		Stevens	Dorgan	Murray		
Grams	Simpson			Exon	Pell		
Grassley	Smith			Feingold	Pryor		
Gregg	Thomas			Feinstein	Reid		
Hatch	Thompson			Ford	Robb		
Helms	Thurmond			Glenn	Rockefeller		
	Warner			Graham	Sarbanes		
				Harkin	Simon		
				Heflin	Wellstone		
				Hollings	Wyden		

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Those favoring the motion to table contended:

The Davis-Bacon Act should be repealed. It was enacted in 1931, ostensibly to require the Federal Government to pay prevailing market wages to construction workers hired to work on Federal projects. In reality, the major purpose of the law was to protect white union workers in the Northeast from competition from black workers from the South. Today, its main effect is to make Government construction projects more costly than comparable private sector projects. The Labor Department is supposed to determine prevailing local wage rates and then require that those rates be paid, but instead it comes up with union wage rates, which are much higher. The result, in total, is that each year the taxpayers of America have to pay \$3 billion more for Federal construction projects than they would have had to pay if local labor rates had been paid instead. Considering that the AFL-CIO just promised to spend an extra \$35 million to defeat Republican candidates for Congress, and considering that this expense will come on top of the millions of dollars that unions already spend on behalf of Democratic candidates, we are not surprised that our Democratic colleagues are not upset about wasting this \$3 billion every year. We are. We think the Davis-Bacon Act should be repealed, and we thus favor the motion to table the Kennedy amendment.

Those opposing the motion to table contended:

The Kennedy amendment is very clear. It simply says that this resolution does not assume the repeal of the Davis-Bacon Act. If our colleagues agree that this Act should not be repealed, then they should join us in voting against the motion to table.